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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/836,172	04/18/2001	Takeshi Inada	DP-757 US	5207

466 7590 10/21/2004

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EXAMINER

SONG, HOSUK

ART UNIT PAPER NUMBER

2135

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/836,172

Applicant(s)

INADA, TAKESHI

Examiner

Hosuk Song

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-38 is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>09/836172</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Ober et al.(US 6,708,273)

Claim 1: Ober discloses encryption-decryption apparatus comprising a variable configuration circuit arrangement as an encryption-decryption circuit in (fig.1 and col.8,lines 4-17 and col.15-16, table I). Ober discloses encryption-decryption operation is performed by using a circuit data of the variable configuration circuit arrangement as a secret key in (fig.1 and col.91,lines 35-67;col.92,lines 35-54).

Claim 2: Ober disclose plurality of circuit data of the variable configuration circuit arrangement wherein an encryption-decryption operation is performed according to different types of algorithms by feeding after selecting the circuit data of the variable configuration circuit arrangement from circuit data selection information for encryption-decryption in (col.8,lines 4-17; col.89,lines 20-50).

Claim 3: Ober discloses a transmitting apparatus to encrypt input data to output encrypted data in (fig.1). Ober discloses a network to transmit the encrypted data in (col.2,lines 29-38). Ober disclose a receiving apparatus to take as input the encrypted data transmitted through the network, perform a decryption operation, and send output data obtained by the

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decryption in (col.2,lines 33-48 and fig.1). Ober disclose transmitting apparatus includes a variable configuration processing circuit for encryption, and a ROM to output circuit data serving as a secret key to the variable configuration processing circuit, and receiving apparatus including a variable configuration processing circuit for decryption, and a ROM to output circuit data serving as a secret key to the variable configuration processing circuit in (col.5,lines 25-31,41-62).

Allowable Subject Matter

2. Claims 9-38 are allowed.

Claims 33,35,21,25,29: Prior art of record does not teach a variable configuration processing circuit to receive the circuit data to output the circuit update posting signal, stop output of the held data, update an own internal circuit configuration depending upon the circuit data, stop the circuit update posting signal when the update is completed so as to resume output of the held data from the encryption/decryption data holding portion, and take as input the held data to perform an encryption operation through an updated internal circuit configuration so as to send encrypted output data.

Claim 15,37: Prior art of record does not teach a variable configuration circuit to update an own internal circuit for decryption depending upon the second circuit data output from the FPGA circuit data generating portion, output a completion posting signal when the update of the internal circuit is completed, and send decrypted output data obtained by decryption of encrypted data of held input data; and an encryption/decryption data holding portion to receive the completion posting signal, and additionally output as the held input data the input data which has been held therein to the variable configuration processing unit.

Claim 9: Prior art of record does not teach a variable configuration processing circuit to update an own internal circuit for decryption depending upon the circuit data used for

specification of the cryptographic algorithm according to selection of the ROM, output a completion posting signal when the update of the internal circuit is completed, and send decrypted output data obtained by decryption of encrypted data of the held input data; and an encryption/decryption data holding portion to receive the completion posting signal, and output as the held input data the encrypted data which has been held therein to the variable configuration processing circuit for decryption.

Claims 10-14,16-20,22-24,26-28,30-32,34,36,38: are allowed because of dependency.

Claims 4-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Kinch Jr. et al.(US 4,185,166).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hosuk Song whose telephone number is 703-305-0042. The examiner can normally be reached on Tue-Fri from 6:00 am- 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 703-305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**** Please note of following changes starting 10/25/2004**.**

- a) New telephone number for TC 2100 receptionist is 571-272-2100.
- b) New contact number for Examiner is 571-272-3857
- c) New contact number for Examiner's supervisor is 571-272-3859.

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